Customer No. 24498
Attorney Docket: SCP061774 US
Office Action Date: January 2, 2008

Remarks/Arguments

The Office Action mailed January 2, 2008 has been reviewed and carefully considered.

Claims 1, 3-6 and 10 are now pending in this application.

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1 and 3-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gurantz (U.S. Patent No. 5,936,660) in view of Ushiyama (U.S. Patent No. 6,349,140).

Gurantz is directed to a digital converter subscriber box that may simultaneously service a plurality of television sets (see, e.g., Gurantz abstract). The converter box disclosed in Gurantz includes multiple processing paths for television signals displayed on multiple television sets (see, e.g., Gurantz, column 4, lines 4-18; FIG. 3). However, Gurantz does not disclose or suggest at least two management means that communicate with an access control module to activate and drive the conversion of scrambled signals to descrambled signals via descrambling modules.

Furthermore, Ushiyama also fails to disclose a plurality of management means that communicate with an access control module to activate and drive the conversion of scrambled signals via descrambling modules. Ushiyama is directed to a descrambling system that includes a parent unit and a child unit (see, e.g. Ushiyama, Abstract). The parent unit descrambles scrambled signals and outputs descrambled signals to a television set and/or a child unit. The child unit thereafter outputs the descrambled signals to a

different television set in response to commands from a remote controller. In support of the rejection of claim 1, the Examiner interprets the child unit as having management means independent from the parent unit that activate and drive the conversion of scrambled signals via descrambling modules (see Office Action dated January 2, 2008, p. 2, paragraph 4 to p. 3, paragraph 1).

However, the child unit management means of Ushiyama do not activate and drive the conversion of scrambled signals. The child unit merely sends a channel command signal for a desired receive channel and outputs signals that are descrambled and transmitted by the parent unit (see, e.g., Ushiyama, column 4, lines 7-14, lines 40-48). Sending a signal requesting a desired channel does not correspond to activating and driving the conversion of scrambled signals via a descrambling module. Only the parent unit of Ushiyama descrambles television signals (see, e.g., Ushiyama, column 4, lines 15-39). Thus, the child unit described in Ushiyama fails to activate and drive the conversion of scrambled signals to descrambled signals via a descrambling module.

In contrast to either Ushiyama or Gurantz, claim 1 includes two management means that communicate with an access control module to activate and drive the conversion of scrambled signals to descrambled signals via descrambling modules. Claim 1 recites, inter alia,

> an access control module able to cooperate with a memory card for conditioning the operation of the first and second processing pathways, the first and second processing pathways comprising respective first and second management means for driving the conversions of the first and second scrambled signals via selected ones of the first and second descrambling modules, and in that the

first management means is arranged to communicate with the access control module to activate the conversion of the first scrambled signals, and the second management means is arranged to communicate with the access control module by way of the first management means to activate the conversion of the second scrambled signals.

Accordingly, claim 1 is believed to be patentable over Gurantz and Ushiyama, taken singly or in combination, as the references fail to disclose or render obvious two management means that activate and drive the conversion of scrambled signals via descrambling modules. In addition, there are other features of claim 1 that are not disclosed or rendered obvious by either Gurantz and/or Ushiyama.

For example, as discussed at length in previously submitted office action responses, neither reference discloses or renders obvious a plurality of descrambling modules. As stated above, Ushiyama discloses only a single descrambling unit, which is within the parent unit (see, e.g., Ushiyama elements 3 and 40, FIGS. 3-4). Similarly, Gurantz describes only a single access control unit that decrypts incoming signals for all processing paths (see, e.g., Gurantz, FIG. 3; column 4, lines 29-36). As discussed in the previously submitted response to the Office Action of October 30, 2006, one or more implementations of the present principles include facilitating the descrambling of television signals from different sources employing different encryption keys by utilizing multiple descrambling units to decrypt the signals (see, e.g., Specification, p. 8, lines 17-24; E1, E2, FIG. 2; p. 10, lines 24-30; U1, CW1 and V1, CW2, FIG. 3). Neither Gurantz

nor Ushiyama, taken singly or in combination, even remotely suggest employing a plurality of descrambling modules.

In support of the rejection of claim 1, the Examiner interprets the multiple processing paths described in Gurantz as being "descrambling modules" because they receive a signal that cannot be viewed in its normal format and convert them into a viewable format (see, e.g. Office Action dated January 2, 2008, p. 3). The Applicants respectfully disagree with the Examiner's interpretation of "descrambling."

Descrambling, signals in a pay-per-use communication device context is understood by those of ordinary skill in the art to include decrypting signals. Claim terms should be given their ordinary and customary meaning, which "is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention . . . ." MPEP §2111.01 (quoting *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (en banc)). The Examiner's own cited prior art indicates that the meaning of the term "descrambling" is decryption. Ushiyama explicitly states that scrambled pay channel programs are descrambled using control codes provided by a cable television center, which is the common means by which signals are decrypted in a pay-per-use communication device (see, e.g., Ushiyama, column 8, lines 55-58; column 8, lines 4-13). Accordingly, the plain meaning of descrambling as understood by one of ordinary skill in the art is decrypting.

Furthermore, even if descrambling could be understood to mean the conversion of an unviewable format to a viewable format, the interpretation of descrambling as being decrypting should be applied, as the Specification employs the decryption meaning. "Where there are several common meanings for a claim term, the patent disclosure serves

to point away from the improper meanings and toward the proper meanings." MPEP §2111.01 (quoting *Renishaw PLC v. Marposs Societa' per Azioni*, 158 F.3d 1243, 1250, 48 USPQ2d 1117, 1122 (Fed. Cir. 1998). The Specification explicitly teaches that the descrambling module may descramble programs by decrypting incoming signals using control words derived from access conditions transmitted by service providers (see, e.g., Specification, p. 9, line 16 to p. 11, line 5). Thus, the Specification explicitly interprets "descrambling" as including decryption. Accordingly, "descrambling" should be interpreted as including decryption.

Therefore, at least because Gurantz and Ushiyama, taken singly or in combination, do not disclose or render obvious utilizing a plurality of descrambling modules as understood by one of ordinary skill in the art, claim 1 is believed to be patentable. Moreover, claims 3-6 are also believed to be patentable over the references due at least to their dependencies from claim 1. As such, withdrawal of the rejection is respectfully requested.

Claim 10 stands rejected under 35 U.S.C. §102(e) as being anticipated by Gurantz.

Claim 10 recites, inter alia:

> a demultiplexer device, said demultiplexer device having a demultiplexer control input and a demultiplexer device input, said demultiplexer device input being operatively coupled to said demodulator device output, said demultiplexer device including a plurality of descrambler devices, said plurality of descrambler devices having a respective plurality of descrambler device outputs;

In support of the rejection of claim 10, the Examiner interprets an RF modulator disclosed in Gurantz (see Gurantz, 108, FIG. 3) as corresponding to a descrambler device recited in claim 10. Specifically, the Examiner asserts that an RF modulator is interpreted as a descrambler because, without RF modulation, the television would only receive a "scrambled" signal (see Office Action dated January 2, 2008, p. 5, paragraph 3). The Applicant respectfully disagrees.

Firstly, Gurantz fails to disclose or render obvious employing a plurality of descrambling modules as understood by one of ordinary skill in the art for at least the reasons discussed above with regard to claim 1.

Secondly, the RF module would not be considered a "descrambler" by one of ordinary skill in the art because the RF module does not descramble scrambled signals. The RF module disclosed in Gurantz is essentially a digital to analogue converter. Gurantz describes the RF module as converting a decrypted, decompressed digital video into an RF signal viewed on a standard television set (see, e.g., Gurantz, column 4, lines 34-38) In contrast, a descrambler converts a scrambled signal to a descrambled signal. A digital to analogue converter could not be interpreted as a "descrambler" because a decrypted, decompressed digital video signal is not a scrambled signal as understood by one of ordinary skill in the art. Thus, Gurantz fails to anticipate the feature of employing a plurality of descrambling devices.

Accordingly, claim 10 is believed to be patentable over Gurantz for at least the reasons discussed above. As such, withdrawal of the rejection is respectfully requested.

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In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Office Action of January 2, 2008 be withdrawn, that pending claims 1, 3-6 and 10 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,

Date: 4/2/08

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